

### **REMARKS**

Applicants appreciate the Examiner's thorough examination of the subject application and request reconsideration of the subject application based on the foregoing amendments and the following remarks.

Claims 1-15 and 17-66 are pending in the subject application.

Claims 51-54 and 57-66 are acknowledged as being allowable by the Examiner.

Claim 16 was previously canceled.

Claims 1-15 and 17-50 stand rejected under 35 U.S.C. §101; 35 U.S.C. §102, and/or 35 U.S.C. §103.

Claims 1 and 49 were amended as suggested by the Examiner.

Claim 29 was amended so as to include the limitations of claim 30 and for clarity. Claim 30 was canceled in view of the amendment to claim 29.

Claims 67 and 68 were added to more distinctly claim embodiments and aspects of the present invention.

The amendments to the claims are supported by the originally filed disclosure and no new matter has been added by virtue of the amendments.

### **35 U.S.C. §101 REJECTIONS**

The Examiner rejected claims 29-50 under 35 U.S.C. §101 on the grounds that these claims are directed to non-statutory subject matter. More specifically, the claims are directed to an abstract idea that is not tied to a physical transformation which would result in a practical application. Applicants respectfully traverse as discussed below.

Applicants have amended claim 49 as suggested by the Examiner. Applicants have amended claim 29 so as to embody the limitations of claim 30 and for clarity. Applicants also canceled claim 30 in view of the amendment to claim 29. Thus, Applicants believe that the rejections have been overcome in view of the amendments.

It is respectfully submitted that for the foregoing reasons, claims 29 and 31-50 are patentable and thus, satisfy the requirements of 35 U.S.C. §102(b). As such, these claims, including the claims dependent there from are allowable.

### 35 U.S.C. §102 REJECTIONS

Claims 1-5, 7, 9-15, 17-20, 22-23, 25-26, 28 and 55-56 stand rejected under 35 U.S.C. §102(b) as being anticipated by Cai et al., "Parametrical Modeling Based Multi-Layered Approach for Design and Validation of Catheterization Devices" [hereinafter "Cai"]. Applicants respectfully traverse as discussed below.

In the Response to Arguments, the Examiner noted that in regards to the remarks concerning the knowledge base, limitations appearing in the specification but not recited in the claims are not read into the claims. Applicants have amended claim 1 so as to more clearly describe the knowledge base as is described on page 7 of the application as indicated by the Examiner. Applicants also amended claim 1 for clarity in view of this change.

In sum, Cai does not disclose the knowledge base as set forth in the claims.

It is respectfully submitted that for the foregoing reasons, claims 1-5, 7, 9-15, 17-20, 22-23, 25-26, 28, and 55-56 are patentable over the cited reference and thus, satisfy the requirements of 35 U.S.C. §102(b). As such, these claims, including the claims dependent there from are allowable.

### 35 U.S.C. §103 REJECTIONS

Claims 6, 8, 21, 24 and stand rejected under 35 U.S.C. § 103 as being unpatentable over Cai in view of James Anderson, et al., Virtual Reality in Interventional Radiology [hereinafter "Anderson"] for claim 6; in view of U.S. Patent 6,205,411 to DiGioia et al; [hereinafter "DiGioia"] for claims 8, 21, and 24; or U.S. Patent 4,918,620 to Ulug [hereinafter "Ulug"] for claim 27. Applicants respectfully traverse these rejections.

As indicated in the discussion above regarding the cited Cai et al. article, Cai does not disclose, teach nor suggest the invention set forth in claim 1 of the present invention. None of the other cited references cite the draft of the Cai disclosure to render the claims obvious.

Each of claims 6, 8, 21, 24 and 27 depend respectfully from claim 1. As such, at least because of the dependency from base claim that is believed to be allowable, each of claims 6, 8, 21, 24, and 27 are considered to be allowable.

Applicants note that each of the secondary references is being cited as providing a teaching or a suggestion directed to the specific feature of the dependent claim being rejected. As such, it is respectfully submitted that the combination of the primary or principal reference with any of the cited secondary references fails to overcome the deficiencies in the primary reference provided in the § 102 discussion provided above. Applicants would note that the foregoing remarks distinguishing claims 6, 8, 21, 24, and 27 shall not be construed as an admission that these claims are not separately patentable over the cited combination of references.

It is respectfully submitted that for the foregoing reasons, claims 6, 8, 21, 24, and 27 are patentable over the cited reference(s) and thus, satisfy the requirements of 35 U.S.C. § 103(a). As such, these claims are allowable.

It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

Although claims were added to the subject application, Applicants believe that additional fees are not required. However, if for any reason a fee is required, a fee paid is inadequate or

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credit is owed for any excess fee paid, the Commissioner is hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,  
Edwards Angell Palmer & Dodge, LLP

/ William J. Daley, Jr. /

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By: \_\_\_\_\_

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